


**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

FILED BY  D.C.

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UNITED STATES OF AMERICA,)
Plaintiff,)
)
vs.)
MICHAEL ELLIOT COLE,)
)
Defendant.)

Criminal No. 02-20165
05-20290

THOMAS M. GOULD
CLERK, U.S. DISTRICT COURT
W.D. OF TENN. MEMPHIS

AGREED ORDER RELEASING RESTRAINED ASSETS

In the Indictment in this case, at Count 89 the government alleged that various assets of Michel Elliot Cole were subject to forfeiture. Thereafter, pursuant to motions by the government, the Court entered various restraining Orders, including the "Second Amended Post-Indictment Restraining Order" which was entered in this case on January 15, 2003, as Docket Entry No. 117.

Pursuant to agreement of the government and Michael Elliot Cole, all Restraining Orders heretofore entered in this case involving Michael Elliot Cole are to be canceled and all assets of Michael Elliot Cole presently restrained are to be released.

One of the restrained assets is referred to the "Second Amended Post-Indictment Restraining Order" is known as the "Durango Ranch" [see page 46, paragraph a(1)]. This real property is owned by a Texas Limited Partnership; Stacy Layne Beavers and Michael Cole are the general partners while Shelly Titterington, Ryan Titterington, Darren Titterington and Richard Titterington II are the limited partners.

Any interest of Shelly Titterington, Ryan Titterington, Darren Titterington and Richard Titterington II, and Stacy Beavers in the Durango Ranch that is restrained should also be released.

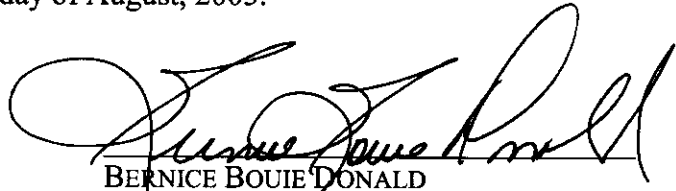
This document entered on the docket sheet in compliance with Rule 55 and/or 32(b) FRCP on 8/31/05

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Therefore, by agreement of the parties, it is hereby **ORDERED** that

- (1) The Court's "Second Amended Post-Indictment Restraining Order" is withdrawn insofar as it restrains any assets of Michael Elliot Cole; and
- (2) There is no restraint upon the interests of Stacy Beavers, Shelly Titterington, Ryan Titterington, Darren Titterington and Richard Titterington II in the real property known as the "Durango Ranch".

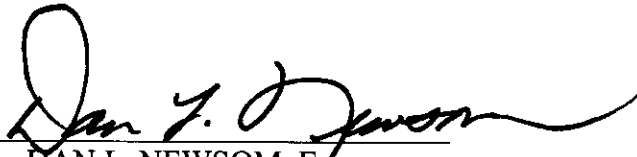
IT IS SO ORDERED this the 30th day of August, 2005.



BERNICE BOUIE DONALD
United States District Judge

APPROVED FOR ENTRY:

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Notice of Distribution

This notice confirms a copy of the document docketed as number 622 in case 2:02-CR-20165 was distributed by fax, mail, or direct printing on September 7, 2005 to the parties listed.

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Honorable Bernice Donald
US DISTRICT COURT